

IN THE CLAIMS:

Claims 2 through 6 and 22 through 24 were previously canceled. Claims 1, 7, 9, 14, 18, 20, 21, 25, 26, 29, 35, 39, 41, 45, 52 and 56 have been amended herein. All of the pending claims 1, 7-21, and 25-56 are presented below. This listing of claims will replace all prior versions and listings of claims in the application. Please enter these claims as amended.

Listing of the Claims:

1. (Currently amended) A eukaryotic cell for producing a protein of interest, said eukaryotic cell comprising:

a first nucleotide sequence encoding an adenoviral E1A protein;

a second nucleotide sequence encoding an adenoviral E1B protein;

wherein the genome of the eukaryotic cell lacks a nucleotide sequence encoding a structural adenoviral protein and wherein the eukaryotic cell does not express a structural adenoviral protein; and

a recombinant nucleotide sequence in expressible format encoding the protein of interest, wherein the recombinant nucleotide sequence in expressible format encoding the protein of interest forms part of the genome of the eukaryotic cell, and

wherein the eukaryotic cell is ~~of~~ a human embryonic retinoblast ~~origin~~ that has been immortalized by introduction therein of said first and second nucleotide sequences.

2. through 6. (Canceled).

7. (Currently amended) The eukaryotic cell of claim 1, wherein the first and second nucleotide sequences encoding the adenoviral E1A and E1B proteins are integrated in the genome of the eukaryotic cell and ~~are derived from~~ comprise nucleotides 459-3510 (SEQ ID NO: 33) of an adenovirus 5 genome.

8. (Previously presented) The eukaryotic cell of claim 1, wherein the first nucleotide sequence encoding the adenoviral E1A protein is regulated by a human phosphoglycerate kinase (PGK) promoter.

9. (Currently amended) A eukaryotic cell for producing a protein of interest, wherein the eukaryotic cell is of a cell as deposited under ECACC no. 96022940, ~~origin~~ further comprising, in the cell's genome, a recombinant nucleotide sequence in expressible format encoding the protein of interest.

10. (Previously presented) The eukaryotic cell of claim 1, wherein the protein of interest is a human protein.

11. (Previously presented) The eukaryotic cell of claim 1, wherein the protein of interest comprises a variable domain of an immunoglobulin.

12. (Previously presented) The eukaryotic cell of claim 11, wherein the protein of interest is an immunoglobulin.

13. (Previously presented) The eukaryotic cell of claim 12, wherein the protein of interest is a monoclonal antibody.

14. (Currently amended) The eukaryotic cell of claim 1, wherein the protein of interest is erythropoietin, or a ~~functional derivative~~, homologue or fragment thereof.

15. (Previously presented) The eukaryotic cell of claim 1, wherein the protein of interest is a viral protein other than an adenoviral protein.

16. (Previously presented) The eukaryotic cell of claim 15, wherein the viral protein is selected from the group consisting of an influenza virus neuramidase, an influenza virus hemagglutinin, an enterovirus protein or an epitope thereof, a herpes virus protein or an epitope thereof, an orthomyxovirus protein, a retrovirus protein, a parvovirus protein, a papovavirus protein, a rotavirus protein, a coronavirus protein, a togavirus protein, a rubella virus protein, an Eastern-equine encephalomyelitis virus protein, a Western-equine encephalomyelitis virus protein, a Venezuelan equine encephalomyelitis virus protein, a hepatitis causing virus protein, a hepatitis A protein, a hepatitis B virus protein, a pestivirus protein, a hog cholera virus protein, a rhabdovirus protein, a rabies virus protein, and antigenic fragments of any thereof.

17. (Previously presented) The eukaryotic cell of claim 1, wherein the recombinant nucleotide sequence encoding the protein of interest in expressible format comprises the sequence encoding the protein of interest under control of a cytomegalovirus (CMV) promoter.

18. (Currently amended) A cell culture comprising the eukaryotic cell of claim 1, together with a ~~suitable~~ medium.

19. (Previously presented) The cell culture of claim 18, wherein the cell culture is a suspension culture.

20. (Currently amended) The cell culture of claim 18, wherein the ~~suitable~~ medium is free of animal- or human-derived serum and animal- or human-derived serum components.

21. (Withdrawn, currently amended) A process for producing a protein of interest, the process comprising:

culturing the eukaryotic cell of claim 1 in a ~~suitable~~ medium, ~~thus allowing the eukaryotic cell to produce~~ expressing the protein of interest; and

harvesting the protein of interest from the eukaryotic cell or the ~~suitable~~ medium.

22. through 24. (Canceled).

25. (Withdrawn, currently amended) The process of claim 21, wherein the first and second nucleotide sequences encoding the adenoviral E1A and E1B proteins are integrated in the genome of the eukaryotic cell and ~~are derived from~~ comprise nucleotides 459-3510 (SEQ ID NO: 33) of an adenovirus 5 genome.

26. (Withdrawn, currently amended) ~~The~~ A process of claim 21 for producing a protein of interest, the process comprising:

~~wherein the eukaryotic cell is of a cell as deposited under ECACC no. 96022940 origin~~
culturing the eukaryotic cell of claim 9 in a medium;

expressing a protein of interest; and

harvesting the protein of interest from the cell or from the medium.

27. (Withdrawn) The process of claim 21, wherein the protein of interest is a human protein.

28. (Withdrawn) The process of claim 21, wherein the recombinant nucleotide sequence encoding the protein of interest in expressible format comprises the sequence encoding the protein of interest under control of a CMV promoter.

29. (Withdrawn, currently amended) The process of claim 21, wherein the ~~suitable~~ medium is free of animal- or human-derived serum and animal- or human-derived serum components.

30. (Previously presented) The eukaryotic cell of claim 1, wherein the protein of interest is a glycoprotein.

31. (Previously presented) The eukaryotic cell of claim 9, wherein the protein of interest is a human protein.

32. (Previously presented) The eukaryotic cell of claim 9, wherein the protein of interest comprises a variable domain of an immunoglobulin.

33. (Previously presented) The eukaryotic cell of claim 32, wherein the protein of interest is an immunoglobulin.

34. (Previously presented) The eukaryotic cell of claim 33, wherein the protein of interest is a monoclonal antibody.

35. (Currently amended) The eukaryotic cell of claim 9, wherein the protein of interest is erythropoietin, or a ~~functional derivative~~, homologue or fragment thereof.

36. (Previously presented) The eukaryotic cell of claim 9, wherein the protein of interest is a viral protein other than an adenoviral protein.

37. (Previously presented) The eukaryotic cell of claim 36, wherein the viral protein is selected from the group consisting of an influenza virus neuramidase, an influenza virus hemagglutinin, an enterovirus protein or an epitope thereof, a herpes virus protein or an epitope thereof, an orthomyxovirus protein, a retrovirus protein, a parvovirus protein, a papovavirus protein, a rotavirus protein, a coronavirus protein, a togavirus protein, a rubella virus protein, an Eastern-equine encephalomyelitis virus protein, a Western-equine encephalomyelitis virus protein, a Venezuelan equine encephalomyelitis virus protein, a hepatitis causing virus protein, a hepatitis A protein, a hepatitis B virus protein, a pestivirus protein, a hog cholera virus protein, a rhabdovirus protein, a rabies virus protein, and antigenic fragments of any thereof.

38. (Previously presented) The eukaryotic cell of claim 9, wherein the recombinant nucleotide sequence encoding the protein of interest in expressible format comprises the sequence encoding the protein of interest under control of a cytomegalovirus (CMV) promoter.

39. (Currently amended) A cell culture comprising the eukaryotic cell of claim 9, together with a ~~suitable~~ medium.

40. (Previously presented) The cell culture of claim 39, wherein the cell culture is a suspension culture.

41. (Currently amended) The cell culture of claim 39, wherein the ~~suitable~~ medium is free of animal- or human-derived serum and animal- or human-derived serum components.

42. (Withdrawn) The process of claim 21, wherein the protein of interest comprises a variable domain of an immunoglobulin.

43. (Withdrawn) The process of claim 42, wherein the protein of interest is an immunoglobulin.

44. (Withdrawn) The process of claim 43, wherein the protein of interest is a monoclonal antibody.

45. (Withdrawn, currently amended) The process of claim 21, wherein the protein of interest is erythropoietin, or a ~~functional derivative~~, homologue or fragment thereof.

46. (Withdrawn) The process of claim 21, wherein the protein of interest is a viral protein other than an adenoviral protein.

47. (Withdrawn) The process of claim 46, wherein the viral protein is selected from the group consisting of an influenza virus neuramidase, an influenza virus hemagglutinin, an enterovirus protein or an epitope thereof, a herpes virus protein or an epitope thereof, an orthomyxovirus protein, a retrovirus protein, a parvovirus protein, a papovavirus protein, a rotavirus protein, a coronavirus protein, a togavirus protein, a rubella virus protein, an Eastern-equine encephalomyelitis virus protein, a Western-equine encephalomyelitis virus protein, a Venezuelan equine encephalomyelitis virus protein, a hepatitis causing virus protein, a hepatitis A protein, a hepatitis B virus protein, a pestivirus protein, a hog cholera virus protein, a rhabdovirus protein, a rabies virus protein, and antigenic fragments of any thereof.

48. (Withdrawn) The process of claim 26, wherein the protein of interest is a human protein.

49. (Withdrawn) The process of claim 26, wherein the protein of interest comprises a variable domain of an immunoglobulin.

50. (Withdrawn) The process of claim 49, wherein the protein of interest is an immunoglobulin.

51. (Withdrawn) The process of claim 50, wherein the protein of interest is a monoclonal antibody.

52. (Withdrawn, currently amended) The process of claim 26, wherein the protein of interest is erythropoietin, or a ~~functional derivative~~, homologue or fragment thereof.

53. (Withdrawn) The process of claim 26, wherein the protein of interest is a viral protein other than an adenoviral protein.

54. (Withdrawn) The process of claim 53, wherein the viral protein is selected from the group consisting of an influenza virus neuramidase, an influenza virus hemagglutinin, an enterovirus protein or an epitope thereof, a herpes virus protein or an epitope thereof, an orthomyxovirus protein, a retrovirus protein, a parvovirus protein, a papovavirus protein, a rotavirus protein, a coronavirus protein, a togavirus protein, a rubella virus protein, an Eastern-equine encephalomyelitis virus protein, a Western-equine encephalomyelitis virus protein, a Venezuelan equine encephalomyelitis virus protein, a hepatitis causing virus protein, a hepatitis A protein, a hepatitis B virus protein, a pestivirus protein, a hog cholera virus protein, a rhabdovirus protein, a rabies virus protein, and antigenic fragments of any thereof.

55. (Withdrawn) The process of claim 26, wherein the recombinant nucleotide sequence encoding the protein of interest in expressible format comprises the sequence encoding the protein of interest under control of a cytomegalovirus (CMV) promoter.

56. (Withdrawn, currently amended) The process of claim 26, wherein the ~~suited~~ medium is free of animal- or human-derived serum and animal- or human-derived serum components.